THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.18167 OF 2006

DATED: 01-05-2007

Between:

Chilka Mogili

. . .Petitioner

and

The Superintendent of Police,
Adilabad District and others

. . .Respondents

THE HON'BLE SRI JUSTICE V.ESWARAIAH

WRIT PETITION No.18167 OF 2006

O R D E R:

The petitioner seeks to issue writ of mandamus directing respondent Nos.1 and 2 to provide police protection to him and his family members against respondents 3 to 14.

The second respondent - Station House Officer, Mandamarri Police Station filed a counter stating that representation of the petitioner addressed to the Superintendent of Police, Adilabad, by way of registered post was sent to the Sub-Divisional Police Officer, Bellampalli, who in turn, instructed the second respondent to conduct enquiry. Pursuant to the same, the enquiry has been conducted and it revealed that the petitioner retired voluntarily from his service in May, 2006 while he was working as General Mazdoor in KK1 mine and purchased a lorry and entered in coal transport business. He also purchased auto rickshaws and incurred huge loss in the business. His sons were addicted to vices and sold away the auto rickshaws. The petitioner took huge debts from unofficial respondents 3 to 14 and in fact, respondent No.3 filed O.S.No.61 of 2006 on the file of Senior Civil Judge, Asifabad and obtained orders of attachment with instructions to the petitioner to furnish security for Rs.5,90,000/-, but the petitioner failed to furnish the same. In respect of the allegation that the third respondent is threatening the petitioner to put signatures on white

papers, it is stated that the enquiry revealed that there is no such threat to the petitioner.

If really, there is any criminal action on the part of the respondents, it is always open for the petitioner to file private complaint before the appropriate criminal Court but having regard to the facts and circumstances of the case, I am of the view that there is no threat to the personal life and liberty of the petitioner and his family members, and therefore, the writ petition is liable to be dismissed.

The writ petition is accordingly dismissed. No costs.

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V.ESWARAIAH, J

1st MAY, 2007.

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